



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

5513.1

Ser 09N/5U981092

DEC 05 2005

From: Chief of Naval Operations

Subj: INTERIM INFORMATION SECURITY GUIDANCE

Ref: (a) Our ltr 5513.1 Ser 09N2/4U692255 of 16 Aug 04
(b) SECNAVINST 5510.36

Encl: (1) EO 12958, as Amended, Original Classification - Policy Changes
(2) EO 12958, as Amended, Original Classification - Markings
(3) EO 12958, as Amended, Derivative Classification - Markings

1. Reference (a) forwarded interim information security marking guidance based on the 28 March 2003 amendment to Executive Order 12958, "Classified National Security Information." Reference (a) is hereby cancelled. The subject guidance has been updated and is provided at enclosures (1) through (3) for immediate implementation. Changes are in bold type. Reference (b) is being revised to reflect these changes.

2. Original Classification Authorities are reminded that security classification guides under their cognizance must be updated in accordance with the new marking policies. **Updated security** classification guides must be forwarded to the Chief of Naval Operations (CNO) (N09N2) for incorporation in the OPNAV 5513 series instructions.

3. Request addressees disseminate this information to subordinate activities.

4. The CNO (N09N2) point of contact is Neala Enfinger at (202) 433-8842, DSN 288-8842 or nenfinge@ncis.navy.mil.

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EO 12958, AS AMENDED
ORIGINAL CLASSIFICATION - POLICY CHANGES

Updated: November 2005

1. Classification Categories. The "reason for classification" shall now be annotated on original classification decisions (along with the applicable classification category) as "1.4" instead of "1.5". The categories of information eligible for classification have been amended to include information related to transnational terrorism, critical infrastructure, weapons of mass destruction, and protection services. Original Classification Authorities (OCAs) may classify information if it pertains to:

- a. military plans, weapons systems, or operations (1.4a);
- b. foreign government information (1.4b);
- c. intelligence activities (including special activities), intelligence sources or methods, or cryptology (1.4c);
- d. foreign relations or foreign activities of the United States, including confidential sources (1.4d);
- e. scientific, technological, or economic matters relating to the national security, which includes defense against transnational terrorism (1.4e);
- f. United States Government programs for safeguarding nuclear materials or facilities (1.4f);
- g. vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security, which includes defense against transnational terrorism (1.4g); or
- h. weapons of mass destruction (1.4h).

2. Level of Classification. Section 1.3(c) of the 1995 EO 12958 stating that "if there is significant doubt about the appropriate level of classification, it shall be classified at the lower level," has been removed from the amended order. Original Classification Authorities may now classify information at a higher level when unable to clearly define the amount of damage a compromise of the information may have to national security.

3. Duration of Classification. Original Classification Authorities shall establish a date or event for declassification that is 25 years or less from the date of the original classification decision. The 10-year exemption from automatic declassification categories ("X1" through "X8") have been eliminated and are no longer an option for original classification decisions. Original Classification Authorities may specify duration of classification beyond 25 years **only when originally classifying information that could be expected to reveal the identity of a confidential human source or human**

Enclosure (1)

intelligence source (only OCAs with jurisdiction over such information may originally classify information using this "25X1-human" exemption).

4. Changing Classification Levels for Originally Classified Information. An OCA with jurisdiction over information may change the level of classification. Such changes shall be documented by remarking with the new classification level, the date of the change, and the authority for the change. Affected portion markings shall also be remarked. The OCA shall update affected security classification guides and immediately notify all holders of the information that the classification has changed.

5. Reclassification of Information

a. Information that has been released to the public, but without proper authority: Classified information that has been released to the public without proper authority may remain classified if the cognizant OCA makes such a determination. The OCA shall notify authorized holders, and provide the following marking instructions in the event the information is not already marked:

- (1) Overall level of classification;
- (2) New portion markings;
- (3) Identify, by name or personal identifier and position, of the OCA;
- (4) Declassification instructions;
- (5) Concise reason for classification; and
- (6) Date the action was taken.

b. Information that has been released to the public under proper authority: A cognizant OCA may request reclassification of information that has been declassified and released to the public under proper authority (i.e., in accordance with DoD Directive 5230.9).

(1) The OCA must deem that the information can be reasonably recovered and that:

(a) most individual recipients or holders are known and all forms of the information to be reclassified can be retrieved; and

(b) if the information has been made available to the public through such means as Government archives or reading rooms, it is withdrawn from public access.

(2) Only the Secretary of the Navy or his deputy may reclassify the information, and this reclassification must include a written determination that reclassification is necessary in the interest of national security. OCAs shall request reclassification via CNO (N09N2), and shall include:

- (a) a description of the information;
- (b) the classification level of the information;
- (c) when and how it was released to the public;
- (d) an explanation of why it should remain classified, and which EO 12958 (as amended) "classification reason" applies;
- (e) what damage to national security could occur and what damage may already have been done;
- (f) the number of recipients/holders and how they will be notified of the reclassification action; and
- (g) how the information will be recovered.

(3) CNO (N09N2) shall report such approved reclassification actions to the Information Security Oversight Office within 30 days of reclassification.

c. Cleared recipients or holders of reclassified information shall be notified within 30 days, and appropriately briefed about their continuing obligation and responsibility to protect this information from unauthorized disclosure.

d. To the extent practicable, uncleared recipients of reclassified information shall be notified and appropriately briefed about the reclassification of the information and the obligation not to disclose the information. They shall also be asked to sign an acknowledgement of the briefing.

6. Security Classification Guides. OCAs may not include instructions for protecting information that is over 25-years old in security classification guides unless that information falls under the "25X1-human" exemption. Current classification guidance must be consulted before taking any declassification action.

EO 12958, AS AMENDED
ORIGINAL CLASSIFICATION - MARKINGS

Updated: November 2005

1. The only markings that have changed are:

a. "Reason for" classification line: The reference for this line is now Section 1.4, not 1.5, and shall include the classification category, "1.4(a)" through "1.4(h)".

b. "Declassify on" line: This line defines the amount of time information is to remain classified, otherwise known as "duration of classification." It is based on a determination by the OCA of when the information will lose its sensitivity. At the time of original classification, OCAs have two options for documenting duration of classification on the "declassify on" line:

(1) Specifying a date or event for declassification that is 25-years or less from the date of classification; or

(2) Specifying the "25X1-human" declassification instruction.

2. Sample markings for originally classified documents:

a. Event as the duration of classification:

Classified by: PEO (Tactical Air)
Reason: 1.4(g)
Declassify on: Completion of XYZ exercise

b. Date 25 years or less as the duration of classification:

Classified by: COMNAVSEASYSOM
Reason: 1.4(a)
Declassify on: 10 Oct 2010

c. "25X1-HUMAN" exemption:

Classified by: Director, Naval Intelligence
Reason: 1.4(c)
Declassify on: 25X1-human

3. Security classification guides document original classification decisions pertaining to a specific plan, program, system or operation, and prescribe classification and declassification instructions for derivative classifiers. If the guide itself is classified, it will be marked using original classification marking guidance. Instructions for preparing security classification guides are contained in OPNAVINST 5513.1.

Enclosure (2)

EO 12958, AS AMENDED
DERIVATIVE CLASSIFICATION - MARKINGS

Updated: November 2005

1. The only classification markings that have changed:

a. The duration of classification shall be specified on the "Declassify on" line:

(1) The date or event (which must be 25 years or less from the date of the original classification decision) for declassification; or

(2) The 25X1-human exemption marking; or

(3) The applicable 25X exemption category if the information is derived from a source that is 25 years old or older, and is either marked to reflect the exemption or is listed in OPNAVINST 5513.16 as being eligible for an exemption.

b. If deriving from multiple sources, cite the latest date or event that does not exceed 25 years.

c. If deriving from a source(s) marked with an indefinite duration of classification from prior Executive Orders (e.g., OADR or X3):

(1) Indicate that the source is marked with an indefinite duration of classification; and

(2) Cite the date of the source.

2. Sample markings for derivatively classified documents:

a. Date or event 25 years or less as the duration of classification:

Derived from: OPNAVINST S5513.3-(11)
Declassify on: 12 Jan 2010

b. Source marked 25X1-human:

Derived from: ONI ltr 5500 Ser 00/S123 of 5 Jul 2004
Declassify on: 25X1-human

Enclosure (3)

c. Source is 25 years old or older and is marked with a 25X exemption code or is listed in OPNAVINST 5513.16 as qualifying for a 25-year exemption:

Derived from: CNO ltr 8800 Ser OP09N/S234 of 1 Dec 1979
Declassify on: 25X4 and IAW OPNAVINST 5513.16

d. Multiple sources: Source one prescribes declassification on 5 Sep 2006 and source two prescribes declassification on 21 Mar 2010.

Derived from: Multiple Sources
Declassify on: 21 Mar 2010

e. Multiple sources: Source one prescribes declassification on 6 Jul 2020; Source two is dated 5Aug 1985 and shows OADR on the "declassify on" line; Source three is dated 13 Apr 1997 and shows X3 on the "declassify on" line.

Derived from: Multiple sources
Declassify on: Source marked X3, Date of Source: 13 Apr 1997

3. Holders of 25-year old or older classified documents are reminded that they must consult current security classification guides before taking declassification action.